

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT WESTPHAL,

No. 3:17-cv-00299-YY

Plaintiff,

ORDER

v.

ED'S MUFFLERS UNLIMITED, INC.,
and JANET KAYSER JOHNSON,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge You issued a Findings and Recommendation [30] on June 11, 2018, in which she recommends that the Court enter a default judgment in the amount of \$20,981.82 in damages for the FLSA minimum-wage claim, \$14,798.88 in damages for the FLSA overtime claim, and \$14,186.48 in actual damages for the fraudulent information returns claim. Judge You also recommends this Court award \$9,352.50 in attorney's fees, \$1,667.25 in paralegal fees, and

\$616.22 in costs. This matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court ADOPTS Magistrate Judge You's Findings and Recommendation [30]. Accordingly, Plaintiff's Motion for Default Judgment [17] and Motion for Attorney Fees [27] are granted. Plaintiff is awarded \$20,981.82 in damages for the FLSA minimum-wage claim, \$14,798.88 in damages for the FLSA overtime claim, and \$14,186.48 in damages for the fraudulent information returns claim. The Court also awards \$9,352.50 in attorney's fees, \$1,667.25 in paralegal fees, and \$616.22 in costs.

IT IS SO ORDERED.

DATED this 14 day of Sept, 2018


MARCO A. HERNÁNDEZ
United States District Judge